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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,418	09/05/2003	Hiroshi Yamaguchi	242220US6	5828

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EXAMINER	
WHIPPLE, BRIAN P	

ART UNIT	PAPER NUMBER
2152	

NOTIFICATION DATE	DELIVERY MODE
05/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/654,418	Applicant(s) YAMAGUCHI ET AL.	
	Examiner Brian P. Whipple	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9 are pending in this application and presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. As to claim 1, the meaning of "the network" is unclear. The preamble and first limitation refer only to a plurality of "networks" and never a single network. Additionally, the phrase "the network" lacks antecedent basis.

5. As to claims 8-9, the claims are rejected for the same reasons as claim 1 above.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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7. Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A computer program fails to fall into one of the four statutory classes of invention: machine, manufacture, process, or composition of matter.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 3, 5-6, and 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Blewett et al. (Blewett), U.S. Patent No. 7,131,141 B1.

10. As to claim 1, Blewett discloses an information processing apparatus having an interface for connection with networks (Abstract), the information processing apparatus comprising:

managing means for managing settings for the networks as profiles on a network by network basis (Fig. 1A; Fig. 1C; Col. 6, ln. 62-66);

detecting means for detecting a first connection to the network (Col. 11, ln. 18-29);

determination means for determining whether the managing means manages the profile corresponding to the detected network when the detecting means has detected the first connection to the network (Col. 11, ln. 18-29; the network is managed if it is detected to be a member of the VPN, else is not managed if it from the untrusted network);

establishing means for establishing a second connection to the network based on the managed profile if the determination means determines that the managing means manages the profile corresponding to the network (Col. 11, ln. 53 – Col. 12, ln. 18).

11. As to claim 3, Blewett discloses the detecting means detects, as the first connection, a connection to a gateway that manages the network (Col. 10, ln. 14-22), wherein the determination means determines whether the managing means manages the profile relating to the gateway (Col. 10, ln. 14-22; Col. 11, ln. 18-29 and 53-55), and wherein the establishing means establishes the second connection to the network in accordance with the profile relating to the gateway (Col. 11, ln. 53 – Col. 12, ln. 18).

12. As to claim 5, Blewett discloses using an IP address, the determination means determines whether the managing means manages the profile, relating to the network detected by the detecting means (Col. 11, ln. 18-29 and 53-55).

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13. As to claim 6, Blewett discloses if the interface is one of a wired LAN interface and a wireless LAN interface, the first connection is a connection to a gateway that manages the network, and the second connection is a connection to another apparatus through the gateway (Fig. 1A; Col. 3, ln. 25-38), and wherein if the interface is a modem, the first connection is a connection to an ISP, and the second connection is a connection to another apparatus through the ISP (Col. 3, ln. 17-21 and 38-42).

14. As to claims 8-9, the claims are rejected for the same reasons as claim 1 above.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blewett as applied to claim 1 above, in view of Ogle et al. (Ogle), U.S. Patent No. 6,052,736.

17. As to claim 2, Blewett discloses the invention substantially as in parent claim 1, including the detecting means detects the first connection to the network (Col. 11, ln.

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18-29), but is silent on the detecting step occurring by determining whether or not a routing table is modified.

However, Ogle discloses the detecting step occurring by determining whether or not a routing table is modified (Col. 6, ln. 11-42).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Blewett by determining whether or not a routing table is modified as taught by Ogle in order to reduce the overhead associated with creating and maintaining a routing table (Ogle: Col. 5, ln. 37-50).

18. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blewett as applied to claim 1 above, in view of Beck, U.S. Patent No. 6,671,273 B1.

19. As to claim 4, Blewett discloses the invention substantially as in parent claim 1, including the detecting means detects the first connection to the network (Col. 11, ln. 18-29), and determining whether the managing means manages the profile relating to the network detected by the detecting means (Col. 11, ln. 18-29).

Blewett is silent on counter means for counting up by one when the detecting means detects the first connection to the network, and

zero determination means that determines whether the subtracting of one from the count of the counter means makes zero when the detecting means detects the first connection to the network,

wherein the zero determination means determines whether the managing means manages the profile relating to the network detected by the detecting means when the zero determination means determines that the subtracting of one from the counter of the counter means makes zero.

However, Beck discloses counter means for counting up by one when the detecting means detects the first connection to the network (Fig. 4; Col. 5, ln. 27-30 and 43-48), and

zero determination means that determines whether the subtracting of one from the count of the counter means makes zero when the detecting means detects the first connection to the network (Col. 6, ln. 52-61),

wherein the zero determination means determines whether the managing means manages the profile relating to the network detected by the detecting means when the zero determination means determines that the subtracting of one from the counter of the counter means makes zero (Col. 6, ln. 52-61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Blewett by examining a counter to determine if registration (i.e. management) of a connection needs to occur as taught by Beck in order to minimize the overhead operations associated with registering (i.e. managing) connections (Beck: Col. 2, ln. 46-52).

20. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blewett as applied to claim 1 above, in view of Winkler, U.S. Publication No. 2003/0070100 A1.

21. As to claim 7, Blewett discloses the invention substantially as in parent claim 1, including a second connection to the network is established by the establishing means (Col. 11, ln. 53 – Col. 12, ln. 18), but is silent on starter means which starts a predetermined software set by a user when the second connection to the network is established by the establishing means.

However, Winkler discloses starter means which starts a predetermined software set by a user when the second connection to the network is established by the establishing means ([0012]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Blewett by starting a predetermined software set by a user when a connection to the network is established as taught by Winkler in order to authenticate a user and then launch the desired application for the user ([0008]; [0012]).

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the attached Notice of References of Cited (PTO-892).

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

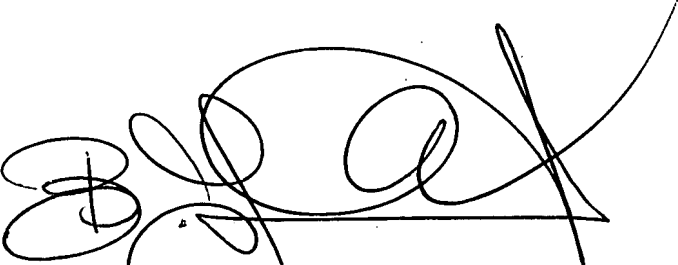
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
5/2/07



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SUPERVISORY PATENT EXAMINER